



April 20, 2020

To: All Responsible Parties for Petroleum Releases and Environmental Consultants

Site Monitoring and Corrective Action at Petroleum Release Sites During the COVID-19 State of Emergency

The Maryland Department of the Environment's (MDE) Oil Control Program (OCP) oversees many active petroleum corrective action or remediation projects where periodic site monitoring at a prescribed frequency is required. While OCP recognizes impacts of the COVID-19 emergency may present challenges for responsible parties and their environmental consultants, OCP expects field work such as potable well or groundwater well sampling, monitoring well gauging, indoor air or subsurface vapor monitoring, remediation system operation and maintenance, enhanced fluid recovery events, and other required site monitoring or corrective action activities to continue to be performed.

In the event that a responsible party and/or environmental consultant believes that periodic site monitoring or other required work at a site is not able to be timely performed as a result of COVID-19 related restrictions, the responsible party and/or environmental consultant must notify the appropriate OCP case manager prior to the date of the site monitoring event, corrective action activity, or other required work by telephone or email to provide specific details regarding the performance issue, including but not limited to the following:

- The required activity the responsible party and/or environmental consultant is not able to timely perform; and
- An assessment of the potential for risks to the public health, public safety or the environment if the requirement is not timely performed or is delayed; and steps that can be taken to mitigate any such risk.

If it is determined by the OCP that a required work activity is critical to avert a potential or imminent risk to human health, the OCP will work with the responsible party and/or the environmental consultant to develop a plan to address the potential or imminent risk.

This memorandum does not create any exceptions to the Executive Orders issued by Governor Hogan or excuse the failure to comply with required corrective action, periodic site monitoring or other required work, or generally relieve a responsible party from any regulatory requirements, including local and federal laws. It is the responsibility of a business, organization or facility to determine whether it is considered essential and can be conducting work during the state of emergency. For further information regarding Maryland's response to the COVID-19 crisis, please find Governor Hogan's Executive Orders at this web page: <https://governor.maryland.gov/category/executive-orders/>.

This guidance is intended to only apply until the COVID-19 state of emergency is terminated and the catastrophic health emergency is rescinded. You should continue to monitor the MDE website for updated information regarding OCP directed cleanups during this unprecedented time. <https://mde.maryland.gov/programs/LAND/OilControl/Pages/index.aspx>.